IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 1:23-cv-00853-DAE

GREG ABBOTT, in his capacity as GOVERNOR OF THE STATE OF TEXAS, and THE STATE OF TEXAS,

Defendants.

JOINT STATUS REPORT

Pursuant to this Court's February 7, 2025, Order (Dkt. No. 267), the parties hereby submit this joint status report.

- 1. On February 7, 2025, this Court placed this matter in abeyance to afford the new federal administration time to assess this matter. Dkt. No. 267.
- 2. Since the United States' unopposed motion to place this case in abeyance was filed, new political leadership—including a new Acting Assistant Attorney General over the Department of Justice Environment and Natural Resources Division—has been appointed at the Department of Justice.
- 3. Additionally, new leadership has been appointed and is in the process of being appointed at federal client agencies.
- 4. Undersigned counsel for the United States and their counterparts in the federal client agencies have been briefing the new administration on this matter, including potential next steps.

- 5. The United States needs additional time to complete these briefings and decide how it believes this case should proceed.
- 6. Accordingly, the United States requests that the abeyance of proceedings be extended an additional 45 days to allow the United States' internal decision-making process to proceed and allow the parties time to confer on steps forward.
- 7. Texas concurs in the United States' request that this case be held in abeyance for an additional 45 days. In view of the parties' current and ongoing active cooperation in defense of the southwestern border of the United States and Texas, Texas is hopeful that this additional time may make it possible to resolve this case by agreement, without further discovery or a trial.

Dated: March 24, 2025

MARGARET F. LEACHMAN ACTING UNITED STATES ATTORNEY

/s/Landon A. Wade_ LANDON A. WADE Assistant United States Attorney Texas Bar No. 24098560 United States Attorney's Office Western District of Texas 903 San Jacinto Blvd., Suite 334 Austin, TX 78701 (512) 370-1255 (tel) (512) 916-5854 (fax) Landon.wade@usdoj.gov Respectfully submitted.

/s/ Kimere J. Kimball

ADAM R.F. GUSTAFSON ACTING ASST. ATTORNEY GENERAL Environment & Natural Resources Division

KIMERE J. KIMBALL Trial Attorney CA Bar No. 260660 ANDREW D. KNUDSEN Trial Attorney DC Bar No. 1019697 **BRYAN J. HARRISON** Trial Attorney FL Bar No. 106379 U.S. Department of Justice Environmental Defense Section P.O. Box 7611 Washington, DC 20044 (202) 514-2285 (Kimball) (202) 514-8865 (fax) Kimere.kimball@usdoj.gov Andrew.knudsen@usdoj.gov Bryan.harrison@usdoj.gov

Counsel for the United States of America

KEN PAXTON

Attorney General of the State of Texas

Brent Webster

First Assistant Attorney General

RALPH MOLINA

Deputy First Assistant Attorney General

RYAN D. WALTERS

Deputy Attorney General for Legal

Strategy

RYAN G. KERCHER

Chief, Special Litigation Division

<u>/s/ David Bryant</u>

DAVID BRYANT

Senior Special Counsel

Tex. State Bar No. 03281500

JOHNATHAN STONE

Special Counsel

Tex. State Bar No. 24071779

MUNERA AL-FUHAID

Special Counsel

Tex. State Bar No. 24094501

ZACHARY BERG

Special Counsel

Tex. State Bar No. 24107706

KYLE S. TEBO

Special Counsel

Tex. State Bar No. 24137691

MARK A. CSOROS

Assistant Attorney General

Tex. State Bar No. 24142814

OFFICE OF THE ATTORNEY GENERAL

P. O. Box 12548, MC-009

Austin, TX 78711-2548

(512) 936-2172

ryan.kercher@oag.texas.gov

david.bryant@oag.texas.gov

johnathan.stone@oag.texas.gov

munera.al-fuhaid@oag.texas.gov

zachary.berg@oag.texas.gov

kyle.tebo@oag.texas.gov

mark.csoros@oag.texas.gov

Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that on March 24, 2025, a copy of this filing was served on counsel of record through the Court's electronic filing system.

/s/ Kimere J. Kimball KIMERE J. KIMBALL